

REMARKS

Reconsideration of the application is respectfully requested. In this application, Claims 1-23 are pending. Claims 1 and 15 are independent.

In the Office Action, Claim 1 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,517,507 ("*Needham et al.*") in view of U.S. Patent No. 5,517,507 ("*Tanno et al.*"). Claim 2 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Tanno* and further in view of U.S. Patent No. 5,995,496 ("*Honkasalo et al.*"). Claims 3-23 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Tanno* and *Honkasalo*, and further in view of U.S. Patent No. 6,108,530 ("*Ayabe et al.*").

In addition, the Examiner has objected to FIGs. 1A, 1B, and 2, alleging that these figures should be labeled as prior art. Accordingly, enclosed are substitute FIGs. 1A, 1B, and 2, which have been amended to include the legend -- PRIOR ART--.

Further, the Examiner has objected to the Oath, which was filed with the application on April 14, 1999, for allegedly not including applicants' acknowledgement of their duty to disclose information in accordance with 37 C.F.R. 1.56. However, upon reviewing the above-mentioned Oath, the acknowledgment is clearly included on page 1 of the Declaration, in the paragraph above Priority Application Number. Accordingly, it is respectfully submitted that the Examiner's

objection to the Oath be withdrawn.

The present application discloses a method for transmitting user data on a reverse common channel in a mobile communication system without a reverse dedicated channel. The user data is divided into a plurality of segmented messages if the user data is longer than a data segment in a frame of the reverse common channel. The plurality of segmented messages are then transmitted in the data segments of consecutive frames on the reverse common channel. It is then determined whether a base station has received each of the segmented messages.

In Code Division Multiple Access (CDMA) technology, the reverse link includes physical channels such as common reverse channels and dedicated reverse channels. The common reverse channels further include a reverse access channel, reverse enhanced access channel, and reverse common control channel. The dedicated reverse channel further includes a reverse pilot channel, reverse supplemental channels, a reverse dedicated control channel, and a reverse fundamental channel.

As indicated above, independent Claims 1 and 15 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Tanno*, and under 35 U.S.C. §103(a) as allegedly being unpatentable over *Needham* in view of *Tanno* and *Honkasalo*, and further in view of *Ayabe*, respectively. Claims 1 and 15 are respectively directed to a method of transmitting user data on a reverse common channel with a reverse dedicated channel released, comprising, inter alia, *designating the reverse common channel to the reverse dedicated channel*,

and a method for receiving messages via consecutive frames on a *designated reverse common channel*.

Although the Examiner has cited *Tanno* as disclosing this designating of the reverse common channel to the reverse dedicated channel, it is submitted that the sections of *Tanno* do not disclose *designating the reverse common channel to the reverse dedicated channel*. Rather, *Tanno* teaches a reverse channel including an access channel and a message channel, wherein messages that are smaller than a certain size are transmitted through the access channel and messages larger than the certain size are transmitted through the message channel. It is respectfully submitted that these features disclosed in *Tanno* are not equivalents of *designating the reverse common channel to the reverse dedicated channel*, as disclosed in claims 1 and 15 of the present application.

Further, *Needham* is completely silent with respect to the reverse common channel and the reverse dedicated channel or how these different channels are utilized during the communication or uplink transmission. In addition, *Honkasalo* and *Ayabe* do not disclose what *Needham* and *Tanno* fail to disclose. Accordingly, it is submitted that Claims 1 and 15 are not obvious over *Needham*, *Tanno*, *Honkasalo*, and *Ayabe*, alone or in combination.

Accordingly, it is respectfully submitted that independent Claims 1 and 15 are patentably distinct from the combinations of *Needham* in view of *Tanno*, and *Needham* in view of *Tanno* and *Honkasalo*, and further in view of *Ayabe*, respectively. Further, it is respectfully submitted that the rejections of Claims 1 and 15 be withdrawn.

Because Claims 2-14 and 16-23 depend from Claims 1 and 15, respectively, it is believed that these claims are also patentable for at least the same foregoing reasons.

Applicants believe that claims 1-23 are in condition for allowance. If the Examiner has any questions regarding this communication or feels that an interview would be helpful in prosecuting this application, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the printed name.

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